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Deletions are shown with the following attributes and color:

~~Strikeout~~, Blue RGB(0,0,255).

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The document was marked with 43 Deletions, 35 Insertions, 0 Moves.

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

In re )  
 ) BANKRUPTCY ~~GENERAL ORDER~~  
PROVISIONS FOR ) GENERAL ORDER NO. 3  
ELECTRONIC CASE FILING ) ~~NO. 3~~  
(ECF) ) (Amended 11/8/04)

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Federal Rules of Civil Procedure 5(e) and 83 and Federal Rules of Bankruptcy Procedure 5005(a)(2), 9011, and 9029 authorize this Court to establish practices and procedures for the filing, signing, and verification of pleadings and papers by electronic means; and, ~~therefore,~~

Pursuant to General Order No. 4, the Court made registration in the CM/ECF system mandatory for attorneys, trustees and examiners appearing in this Court effective 1 October 2004, and made filing through the CM/ECF system mandatory for attorneys, trustees and examiners appearing in this Court effective 1 November 2004; therefore,

IT IS ORDERED that:

- The Court has adopted electronic case filing consistent with technical standards, if any, that the Judicial Conference of the United States establishes. The Clerk of the Court may accept documents for filing, establish electronic service requirements, issue notices, serve orders and otherwise specify practices and procedures in electronic case management consistent with the Administrative Procedures for Filing, Signing and Verifying Pleadings and Papers by Electronic Means approved by the Court through general

1 orders.

2 2. The document attached as Exhibit A (Administrative  
3 Procedures for Filing, Signing and Verifying Pleadings and  
4 Papers by Electronic Means dated ~~May 17,~~ 8 November 20014 and  
5 at times referred to as "Electronic Filing Procedures") is  
6 hereby approved by the Court.

7 3. No participant shall permit his/her password to be utilized  
8 by anyone other than an authorized employee of his/her  
9 office.

10 ~~3.~~ Only the participant or an authorized employee of  
11 the participant's office may use the participant's  
12 password.

13 4. a. ~~The electronic filing of a petition, pleading, motion~~  
14 ~~or other paper by the participant- or an authorized employee~~  
15 ~~of the participant's office in the ECF System shall~~  
16 ~~constitute the signature of that participant under~~  
17 ~~Fed.R.Bankr.P. 9011.~~

18 ~~b. The signature of the debtor(s) authorizing the~~  
19 ~~electronic filing of the bankruptcy case shall be~~  
20 ~~accomplished by conventionally filing an original, executed~~  
21 and shall bind the party or parties represented by that  
22 participant.

23 b. The *DECLARATION RE: ELECTRONIC FILING*, Local Rules W.D.  
24 Wash. Bankr. ~~f~~E ~~Form 6 within 5 business days of the~~  
25 ~~electronic filing of the petition.~~

26 ~~c.~~ , is no longer required. Official Form No. 21,  
27 Statement of Social Security Number, which is required in  
28 every case, may be filed electronically.

1 c. If the debtor is unable to pay the filing fee except in  
2 installments, and if the petition is filed electronically ~~or~~  
3 ~~the debtor's attorney is a participant in the ECF System,~~  
4 the debtor must electronically file an Application to Pay  
5 Filing Fees in Installments (Official Form No. 3) at the  
6 time of the filing of the petition. ~~In addition, the debtor~~  
7 ~~and the attorney for debtor, where applicable, must sign the~~  
8 ~~Application to Pay Filing Fees in Installments, of the~~  
9 ~~DECLARATION RE: ELECTRONIC FILING, Local Rules W.D. Wash.~~  
10 ~~Bankr. form 6.~~

11 5. The electronic filing of a pleading or other paper in  
12 accordance with the Electronic Filing Procedures ~~shall~~  
13 ~~constitute~~is entry of that pleading or other paper on the  
14 docket kept by the Clerk of the Court under Fed.R.Bankr.P.  
15 ~~5003~~ 5003.

16 6. The Court shall enter all orders, decrees, judgments, and  
17 proceedings of the Court in accordance with the Electronic  
18 Filing Procedures, which ~~shall constitute~~is entry of the  
19 order, decree, judgment, or proceeding on the docket kept by  
20 the Clerk of the Court.

21 7. Participation in the ECF System by receipt of a password  
22 from the Clerk of the Court ~~shall constitute~~is consent to  
23 the electronic service of pleadings and other papers as set  
24 forth in paragraphs ~~8(a) and 8(b)~~ of this Order.

25 8. a. Whenever a pleading or other paper is filed  
26 electronically in accordance with the Electronic  
27 Filing Procedures, the filing party will be  
28 automatically sent a Notice of Electronic Filing

1 by electronic means at the time of docketing. All  
2 other parties in the case who are ECF participants  
3 will be sent the Notice of Electronic Filing by  
4 electronic means either at the time of filing or  
5 on a daily basis.

6 ~~b. If the recipient of a Notice of Electronic Filing is a~~  
7 ~~participant in the ECF System, service by electronic means~~  
8 Pursuant to Fed.R.Civ.P.5(b)(2)(D), receipt of the Notice of  
9 Electronic Filing ~~shall be~~ generated by the Court's  
10 electronic case filing system is the equivalent of service  
11 of the ~~pleadings by delivery.~~

12 ~~c. pleading identified in the notice on persons who have~~  
13 consented to electronic service.

14 b. The request for and receipt of a password from the Court  
15 for use of the ECF System is a request for electronic  
16 service pursuant to Fed.R.Bankr.P.9036, 7005, and  
17 Fed.R.Civ.P.5(b)(2)(D); provided that, notwithstanding  
18 Fed.R.Bankr.P.9036, in accordance with  
19 Fed.R.Civ.P.5(b)(2)(D) and Fed.R.Civ.P.5(b)(3), service by  
20 electronic means is complete on transmission unless the  
21 party making service learns that the attempted service did  
22 not reach the person to be served. A party may make service  
23 pursuant to Fed.R.Civ.P.5(b) through the Court's  
24 transmission facilities.

25 c. The filing party shall serve the pleading or other paper  
26 upon all non-participants entitled to notice or service in  
27 accordance with the applicable rules. —  
28 =

1 d. Notwithstanding the foregoing provisions of this  
2 paragraph 8, conventional service of documents in hard copy  
3 is required in accordance with Fed.R.Civ.P.4,  
4 Fed.R.Civ.P.45, Fed.R.Bankr.P.7004, Fed.R.Bankr.P.9014(b),  
5 and Fed.R.Bankr.P.9016, any order for conventional service  
6 issued by the Court, or where otherwise specifically  
7 required by the Federal Rules of Civil Procedure or the  
8 Federal Rules of Bankruptcy Procedure.

9 9. In conjunction with the transition to electronic filing,  
10 Local Rule W.D. Wash. Bankr. 2083-1 is hereby ~~repealed.~~

11 ~~All~~ amended to read as follows: "All proofs of claim  
12 ~~must~~ shall be filed with the Clerk of the Court; ~~t.~~ The  
13 ~~Chapter~~ 13 Trustees shall promptly forward to the Clerk of  
14 the Court any original proofs of claim received ~~pursuant to~~  
15 ~~the repealed rule, Local Rule W.D. Wash. Bankr. 2083-1.~~

16 ~~10.~~ by them in error; provided that the Chapter 13 Trustees  
17 shall not be responsible for the timeliness of the filing of  
18 a proof of claim where the filer has failed to timely file  
19 the original with the Clerk of the Court."

20 10. The original of this order shall be posted on the Court's  
21 website and maintained conventionally with the Clerk of the  
22 Court. Amendments to this order or the Electronic Filing  
23 Procedures may be entered from time to time in keeping with  
24 the needs of the Court.

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26  
27 ~~11.~~ 11.

28 This ~~o~~ Order shall take effect on ~~Monday, May 21, 2001.~~

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6 THOMAS T. GLOVER SAMUEL J. STEINER  
7 Chief Judge, U.S. Bankruptcy Court Judge, U.S. Bankruptcy  
8 Court  
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15 8 November 2004, and shall apply to all cases and proceedings  
16 pending on the effective date. This Order amends Bankruptcy  
17 General Order No. 3 dated 21 May 2001.  
18

19 Dated: 8 November 2004.  
20

21 FOR THE COURT:  
22

23 HON. PHILIP H. BRANDT KAREN  
24 A.  
25 OVERSTREET  
26 Judge, U.S. Bankruptcy Court Judge, U.S. Bankruptcy Court  
27

28 PAUL B. SNYDER  
Judge, Chief Judge,  
U.S. Bankruptcy Court

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